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Agenda item 10
Technical assistance and capacity-building

Haiti*, South Africa†, Ukraine*: draft resolution

32/...
Capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights and relevant human rights treaties,

Recalling General Assembly resolution 60/251 of 15 March 2006,

Recalling also its resolutions 5/1 on institution-building of the United Nations Human Rights Council and 5/2 on the Code of Conduct for Special Procedures Mandate Holders of the Human Rights Council, both of 18 June 2007, and emphasizing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

Recalling further its resolutions S-14/1 of 23 December 2010 and 16/25 of 25 March 2011, on the situation of human rights in Côte d'Ivoire, 17/21 of 17 June 2011, establishing the mandate of the Independent Expert on the situation of human rights in Côte d'Ivoire, 20/19 of 6 July 2012 and 23/22 of 14 June 2013, renewing the mandate of the Independent Expert, 26/32 of 27 June 2014, establishing the mandate for capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights, and 29/24 of 3 July 2015, renewing the mandate of the Independent Expert,

Reaffirming that all States have a responsibility to promote and protect human rights and fundamental freedoms, as stated in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant human rights instruments,

* Non-member State of the Human Rights Council.
† On behalf of States Members of the United Nations that are members of the Group of African States.

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Emphasizing the importance of efforts for lasting reconciliation by the National Commission of Inquiry, the Dialogue, Truth and Reconciliation Commission and the National Commission for Reconciliation and Compensation of Victims, and encouraging the Government of Côte d'Ivoire to implement their recommendations in order to contribute to reconciliation,

Noting that the situation of human rights in Côte d'Ivoire has improved significantly and that it should nevertheless be monitored, given the numerous challenges, notably the restoration of peace, national reconciliation and combating impunity,

Concerned at the continuing sporadic armed attacks on the Forces républicaines de Côte d'Ivoire in the exercise of their mandate to protect civilians,

1. *Condemns* the terrorist attacks that occurred in Grand-Bassam on 13 March 2016, which are liable to thwart the joint efforts of the Ivorian people and the international community to bring security and peace to the country;

2. *Welcomes* the successful holding of the presidential elections of October 2015, considered to be free and transparent by all national and international stakeholders, and welcomes the overall stability of the security situation in Côte d'Ivoire, as indicated in the special report of the Secretary-General on the United Nations Operation in Côte d'Ivoire[1] and the report of the Independent Expert on capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights;[2]

3. *Welcomes* the exemplary and continuing cooperation of the Government of Côte d'Ivoire with the United Nations human rights machinery and its commitment to promoting and protecting human rights and encourages the continuation of efforts to end all human rights violations in the country, to prosecute the persons responsible and the perpetrators of such acts and to help victims;

4. *Notes with satisfaction* the establishment of the Ministry of Solidarity, Social Cohesion and Compensation of Victims, a breakthrough that will enhance the gains made in the area of national reconciliation, while encouraging the Government of Côte d'Ivoire to provide it with sufficient resources to fulfil its mission;

5. *Also notes with satisfaction* the efforts made by the Government of Côte d'Ivoire to align its domestic legal framework with the Rome Statute of the International Criminal Court, including its initiative for the abolition of the death penalty and the introduction into its domestic legal framework of international crimes such as genocide, crimes against humanity and war crimes, superior responsibility for war crimes and the non-applicability of any statute of limitations to such international crimes;

6. *Encourages* Côte d'Ivoire to continue its efforts to enhance capacity in its judicial system and invites the Government of Côte d'Ivoire to strengthen human resource capacity, to ensure that legal proceedings conform to international standards for a fair trial and to prosecute all the alleged perpetrators of human rights violations, including those committed during the post-election crisis;

7. *Welcomes* the continued work of the special investigation unit, encourages the Ivorian authorities to continue to provide it with the necessary resources and also encourages the acceleration of the national processes of investigation and prosecution of the persons responsible and the alleged perpetrators of the violence committed during the 2010-2011 post-election period;

[1] S/2016/297.
[2] A/HRC/32/52.

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9. *Encourages* the Ivorian authorities to continue their efforts to improve conditions of detention in prisons and to take steps to reduce overcrowding in prisons in order to improve the care of minors and, in this regard, invites the international community to support the efforts of the Government of Côte d'Ivoire;

9 *bis*. *Welcomes* the release, on 19 April 2016, to the President of the Republic, of the report of the National Commission for Reconciliation and Compensation of Victims and the recommendations provided by it to proceed with its publication and of the report of the Dialogue, Truth and Reconciliation Commission;

10. *Also welcomes* the continuation of the dialogue between all political actors aimed at facilitating inclusive political pluralism, while stressing the importance of the full participation of women in the process of dialogue with all parties, and notes the continued cooperation with the International Criminal Court and the adoption of new laws, significant advances in strengthening the legislative framework and promoting and protecting human rights;

11. *Notes* the commitment of the judicial authorities to ensure equitable justice for all victims of the Ivorian crisis, a major component of reconciliation, through the continuation of judicial proceedings, including the trial of members of the Forces républicaines de Côte d'Ivoire, and the acceleration of the process of investigation and prosecution of those responsible and the alleged perpetrators of the violence committed during the 2010-2011 post-election period;

12. *Welcomes* the continuation of the electoral process and the arrangements for holding fair, free, transparent, inclusive and peaceful general elections that guarantee freedom of expression and the will of the people;

13. *Takes note* of the reports and the recommendations submitted by the Independent Expert at the thirty-first and thirty-second sessions of the Human Rights Council;[1]

14. *Applauds* the commitments made by the Government of Côte d'Ivoire during the various sessions of the Human Rights Council to endorse the Independent Expert's recommendations and its fruitful cooperation with the Independent Expert in the framework of his mandate;

15. *Welcomes* the progress made by the Government of Côte d'Ivoire in promoting respect for and protection of human rights, including its cooperation with the special procedure mandate holders and treaty bodies and its efforts in ratifying international and regional human rights instruments, and encourages it to continue these activities and to continue its efforts to bring its national legislation into conformity with the international and regional instruments that it has ratified by ensuring the effective implementation of those instruments;

16. *Notes with satisfaction* the continued improvement in the humanitarian situation on the ground and calls on United Nations agencies and other relevant actors to continue, at the request of the country, to provide assistance to refugees and internally displaced persons, in conformity with the measures put in place by the Government, so as to encourage their safe and voluntary return to their homes;

17. *Welcomes*, in this regard, the actions of the Ministry of Solidarity, Social Cohesion and Compensation of Victims, which have facilitated the return to Côte d'Ivoire, since 3 May 2016, of nearly 2,000 Ivorian refugees and exiles in Liberia;

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[1] A/HRC/31/78 and A/HRC/32/52.

18. *Notes* the efforts made by the Ivorian authorities to combat sexual violence against women and children, notably with the adoption of a national strategy to curb the phenomenon, and the efforts made to protect children, and calls upon the Government to do everything possible to continue investigations into the recurring allegations of violence against women and children;

19. *Welcomes*, in this regard, the adoption on 3 June 2016, of a decree on the establishment, responsibilities, organization and functioning of the National Committee to Combat Conflict-Related Sexual Violence, which has been tasked with coordinating within national security institutions the efforts of the Government of Côte d'Ivoire to prevent conflict-related sexual violence and respond to such violence and to enhance the fight against impunity for crimes of sexual violence committed by armed men;

20. *Calls upon* the international community to continue, if necessary, to support the reconstruction and reconciliation process under way in Côte d'Ivoire and to provide the assistance requested in the specific areas in which such assistance is necessary, including in strengthening the capacity of the mechanisms for combating violence against women and children;

21. *Calls upon* the Government of Côte d'Ivoire to ensure the full inclusiveness of the constitutional review process, calls upon all Ivorian stakeholders, including political parties, civil society and the media, to continue to work together to consolidate national reconciliation and social cohesion and urges the Ivorian authorities to seize this opportunity to strengthen the legal framework for the protection of human rights in the country;

22. *Requests* the Office of the High Commissioner for Human Rights to provide the technical assistance requested by the Government of Côte d'Ivoire in order to strengthen the capacity of the National Human Rights Commission of Côte d'Ivoire, with a view to closing down the United Nations Operation in Côte d'Ivoire in June 2017, and encourages the Ivorian authorities to bring the Commission into conformity with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles) and to provide it with the necessary means to carry out its work independently;

23. *Calls upon* the international community to encourage the national efforts made by Côte d'Ivoire and its institutions to strengthen the rule of law in the country, and to respond to its requests for technical assistance in the humanitarian, educational, health, economic and social spheres;

24. *Also calls upon* the international community to continue to support, upon request, the National Human Rights Commission of Côte d'Ivoire through technical assistance and capacity-building programmes, with a view to enabling it to contribute effectively to the promotion and protection of the fundamental rights of the Ivorian people, in accordance with the Paris Principles;

25. *Decides*, accordingly, to extend, for a final one-year period, until 30 June 2017, the mandate on capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights;

26. *Requests* the Independent Expert to submit a report and his or her final recommendations to the Human Rights Council at its thirty-fifth session.